



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

New Business - Miscellaneous

J.1

11/7/2019

Subject:

Modification to County Code Creating Property Owner Obligation to Repair Leaking Sewer Laterals, Dist 2.

Fiscal Impact:

Dept/Office: District 2

Requested Action

Modification to County Code Creating Property Owner Obligation to Repair Leaking Sewer Laterals, Dist 2.

Summary Explanation and Background: Sewer laterals connect structures, primarily homes and businesses, to the government-owned and operated sewer system ("system"). Leaking sewer laterals allow for infiltration & inflow ("I&I") into the system by permitting ground water and storm water to enter the otherwise closed system.

All systems have a maximum volume they are able to accommodate. Once this maximum volume is reached, systems must discharge sewage as, typically, the only alternative is to permit sewage to backflow into connected homes and businesses.

Discharges have a negative environmental impact on connected bodies of water, including the Indian River Lagoon as sewage is heavily comprised of organic nutrients (including nitrogenous and phosphorus-laden compounds) as well as human pathogens (including fecal coliform bacteria) and contaminants of emerging concern ("CECs") including pharmaceuticals.

Though sewer laterals are generally not owned by the government but rather by individual homeowners and businesses, in an effort to address the problem of leaking sewer laterals, Brevard County conducts smoke testing in order to help identify which sewer laterals are leaking.

The last significant smoke testing including Indian Harbor Beach, Satellite Beach, and some of the adjacent and surrounding unincorporated portions of Brevard County. This testing occurred on or about _____ at an approximate cost of _____. A number of leaking laterals were identified as a result of this testing.

Property owners whose laterals were found to be leaking were informed and advised that SOIRL (Save Our Indian River Lagoon) funds were available to them to fully reimburse them for costs incurred in repairing leaking laterals. Property owners were free to choose a licensed plumber of their choosing without being forced to use one specified by the government.

Despite full reimbursement being offered, a disturbingly high number of homeowners not only failed to avail themselves of the available full reimbursement but failed to fix their leaking laterals.

As the carrot failed to achieve the necessary results, it is necessary to move to the stick. Unfortunately, it is apparent that a number of property owners are either uncaring and/or lazy, wholly unconcerned with the impact their maintenance failures have had on the

system and objectively result in greater volumes of effluent being released during discharge events. While fixing these laterals could avoid certain discharge events altogether, even those which could not be wholly avoided would be improved as a result of a smaller volume of effluent being released.

This agenda item seeks to direct staff to draft an Ordinance modifying County Code to obligate property owners to repair leaking sewer laterals and imposing the maximum permissible daily fines for failure to do so.

Clerk to the Board Instructions:



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November 8, 2019

MEMORANDUM

TO: Commissioner Bryan Lober, District 2

RE: Item J.1., Modification to County Code Creating Property Owner Obligation to Repair Leaking Sewer Laterals

The Board of County Commissioners, in regular session on November 7, 2019, tabled consideration of modification to County Code creating property owner obligation to repair leaking sewer laterals, to a future Board meeting.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

Encl. (1)

cc: County Manager